

**PROPOSED REGULATION OF THE
BOARD OF PSYCHOLOGICAL EXAMINERS**

LCB FILE NO. R121-211

**The following document is the initial draft regulation proposed
by the agency submitted on 12/08/2021**

**PROPOSED REGULATION OF THE
BOARD OF PSYCHOLOGICAL EXAMINERS**

LCB File No.

AUTHORITY: §§1-, NRS 641.100, NRS 641.228

A REGULATION relating to psychology; ...

Legislative Counsel's Digest:

Section 1. Chapter 641 of NAC is hereby amended by adding thereto the provisions set forth as sections 2, 3 and 4 of this regulation.

Sec. 2. NAC 641.xxx is hereby amended to read as follows: (Note: This NAC is Regulation 74-18 which was adopted and effective January 30, 2019 but has not been codified. The NAC is, therefore, not available.)

NAC 641.xxx 1. A supervisor shall employ methods of proper and diligent oversight of a psychological assistant, psychological intern or psychological trainee who is under his or her supervision to meet his or her ethical and legal responsibilities set forth in subsection 2 of NAC 641.161. Such methods must include the implementation of policies and procedures that ensure the accessibility of the supervisor to the psychological assistant, psychological intern or psychological trainee commensurate with the professional developmental level of the psychological assistant, psychological intern or psychological trainee as required by the agreement submitted to the Board pursuant to NAC 641.1517 or 641.153, as applicable. Such methods may include:

- a. The physical presence of the supervisor;
- b. Availability of the supervisor by ***remote means, including use of a remote technology system which uses electronic, digital, or other similar technology*** [~~telephone~~]; and
- c. Availability of another licensed medical or behavioral health provider at the site at which the psychological assistant, psychological intern or psychological trainee is providing services.

2. To ensure compliance with subsection 1, a supervisor may employ various modes and methods of supervision of a psychological assistant, psychological intern or psychological trainee under his or her supervision, including, without limitation:

- a. Individual supervision;
- b. Group supervision;
- c. Tracking the progress of clients and patients treated or assessed by the psychological assistant, psychological intern or psychological trainee;
- d. Conducting therapy or an assessment with the psychological assistant, psychological intern or psychological trainee;
- e. Discussing the cases of clients and patients with the psychological assistant, psychological intern or psychological trainee; or
- f. Directly observing or reviewing audio or video recordings of the delivery of services by the psychological assistant, psychological intern or psychological trainee.

3. A supervisor shall:

- a. Maintain primary responsibility for the care plan of each client and patient treated or assessed by a psychological assistant, psychological intern or psychological trainee under his or her supervision; and
 - b. Review and sign all clinical documentation, including, without limitation, reports, treatment plans and progress notes, for all services provided by a psychological assistant, psychological intern or psychological trainee under his or her supervision, including, without limitation, those services for which he or she is seeking reimbursement under the State Plan for Medicaid that were rendered under the authorized scope of practice of the psychological assistant, psychological intern or psychological trainee pursuant to NRS 422.27239, as applicable.
4. Except as otherwise provided in this subsection, a supervisor shall be available to a psychological assistant, psychological intern or psychological trainee whom he or she supervises while the psychological assistant, psychological intern or psychological trainee is providing services to a client or patient. A supervisor shall arrange for the availability of another appropriate licensed medical or behavioral health provider to be on site in the case of the absence of the supervisor.
5. A supervisor shall provide to the Board:
 - a. Evidence of the manner in which he or she meets his or her supervisory duties as outlined in subsections 1 and 2.
 - b. Upon the registration of a psychological assistant, psychological intern or psychological trainee, a training plan that includes, without limitation, the

policies the supervisor will put in place to ensure the availability of the supervisor and the modes, methods, procedures or policies the supervisor intends to employ to ensure compliance with this section and NAC641.161.

(R074-18 effective January 30, 2019)

Sec. 3. NAC 641.019 is hereby amended to read as follows:

NAC 641.019, Fees 1. Except as otherwise provided in NRS 641.228, the Board will charge and collect the following fees:

2. The Board will annually determine the actual costs to the Board for the state examination administered by the Board pursuant to [NAC 641.112](#) or [641.113](#) for purposes of determining the fee charged and collected pursuant to subsection 1.

3. If an active member of, or the spouse of an active member of, the Armed Forces of the United States, a veteran or the surviving spouse of a veteran submits an application for a license by endorsement pursuant to NRS 641.196, the Board shall collect not more than one-half of the fee set forth in subsection 1 for the initial issuance of the license by endorsement.

4[3]. In accordance with NRS 353C.115 and NAC 353C.400, the Board will charge and collect from any person whose check or other method of payment is returned to the Board or otherwise dishonored because the person had insufficient money or credit with the drawee or financial institution to pay the check or other method of payment or because the person stopped payment on the check or other method of payment a fee

of \$25 or such other amount as may subsequently be required by NRS 353C.115 and NAC 353C.400.